

**78B-13-312 Costs, fees, and expenses.**

- (1) The court shall award the prevailing party, including a state, necessary and reasonable expenses incurred by or on behalf of the party, including costs, communication expenses, attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care during the course of the proceedings, unless the party from whom fees or expenses are sought establishes that the award would be clearly inappropriate.
- (2) The court may not assess fees, costs, or expenses against a state except as otherwise provided by law other than this chapter.

Renumbered and Amended by Chapter 3, 2008 General Session